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Attorneys for Defendant

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

MARK DAVID AHERN,

Plaintiff,

v.

MARTIN O'MALLEY,<sup>1</sup>  
Commissioner of Social Security,

Defendant.

Case No. 2:23-cv-02085-GMN-DJA

**UNOPPOSED MOTION FOR  
EXTENSION OF TIME TO ANSWER  
PLAINTIFF'S COMPLAINT**

Defendant, Commissioner of Social Security, by and through her undersigned attorneys, hereby moves for a 30-day extension of time to file the Certified Administrative Record (CAR) and respond to Plaintiff's Complaint. The CAR and any response to Plaintiff's Complaint are due to be filed by February 16, 2024. This is Defendant's first request for an extension of time. Defendant requests this extension because, despite working diligently to meet the case's deadlines, the undersigned Special Assistant United States Attorney needs additional time to consider the multiple issues raised in the record and determine whether an answer should be filed in this case.

For these reasons, Defendant requests an extension to March 18, 2024, to respond to Plaintiff's

<sup>1</sup> Martin O'Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Martin O'Malley should be substituted for Kilolo Kijakazi as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 Complaint. Today, February 15, 2024, the undersigned Special Assistant United States Attorney  
2 conferred with Plaintiff's counsel, who has no opposition to the requested extension.

3 Defendant therefore respectfully requests an extension of time to file the CAR and respond to  
4 Plaintiff's Complaint, through and including March 18, 2024.

5  
6 Dated: Feb. 15, 2024

Respectfully submitted,

7 JASON M. FRIERSON  
8 United States Attorney

9 /s/ Edmund Darcher  
10 EDMUND DARCHER  
Special Assistant United States Attorney  
Attorneys for Defendant

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14 IT IS SO ORDERED:

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16 HON. DANIEL J. ALBREGTS  
UNITED STATES MAGISTRATE JUDGE

17 DATED: 2/20/2024  
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